

3.7 PUBLIC HEARING TRANSCRIPT

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PUBLIC MEETING FOR
PLACER COUNTY PLANNING COMMISSION,
MARTIS VALLEY WEST PROJECT

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Thursday, November 19, 2015

10:00 a.m.

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North Lake Tahoe Event Center
8318 North Lake Boulevard
Kings Beach, CA 96143

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PUBLIC COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT

Reported by: Amanda Mitchell

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1 MS. OLLER: Good morning, commissioners. My
2 name is Alexis Oller, Executive Director of Mountain
3 Area Preservation. I want to thank you for the
4 opportunity to comment this morning on the Draft EIR as
5 well as extending the comment period to December 22nd.
6 This is a large document, very technical, and so we
7 appreciate that additional time to review.

8 I'd like to just comment on the general Draft
9 EIR theme. The EIR discounts potentially significant
10 impacts to the project site on the west parcel by
11 assuming it's less than significant due to the
12 preservation of land on the east parcel. The EIR cannot
13 make these assumptions. Furthermore, CEQA
14 Section 15384A states that determination should not be
15 based on unsubstantiated opinions. So evidence needs to
16 be supplied in the EIR to understand these potential
17 significant impacts, and the EIR cannot make the
18 assumptions that the preservation of the east side has
19 the mechanism discounts impacts to the actual proposed
20 project.

21 Some areas of concerns that we'll be commenting
22 on in our letter to the County are biological resources,
23 traffic, air quality, public safety, hydrology, fire
24 hazards, visual resources, nighttime light solutions,
25 and the cumulative impacts of the segmentation of the

PH1-1

PH1-2

1 Brockway Campground proposal.

2 We are currently working with Sierra Watch and
3 Shute, Mihaly & Weinberger. They're our land use and
4 traffic consultants to review the EIR and provide
5 extensive comments on these areas of concern.

PH1-2
cont.

6 A couple areas I'd like to highlight are visual
7 resources. While the Draft EIR states this is an
8 unavoidable and significant impact, we believe that
9 there are ways to create this to be a less than
10 significant impact. You could consider project
11 reductions, redesign of home placements, shielding with
12 more tree preservation to lessen the glare of the visual
13 impacts to Martis Valley.

PH1-3

14 Additional areas of concern are traffic, and I'd
15 just like to highlight one. The State Route 267 and
16 project access road intersection is basically slated as
17 a very significant impact creating a level of service F
18 there for summer and for winter. We have already
19 addressed this concern with the project applicant. We
20 have major concerns with the project entrance being on
21 267. We advised the project applicant to look at
22 alternatives specifically in connection to the project
23 site from Highland View Road with the purchase of
24 potentially a roadway easement through Northstar or CNL
25 to minimize this impact. A level of service F is

PH1-4

1 hazardous public safety, and anyone who drives in this
2 community knows the gridlock that occurs on 267. So
3 further increasing the congestion and gridlock is really
4 unacceptable for a project.

PH1-4
cont.

5 The other piece is cumulative impact. The Draft
6 EIR provides an extensive list of proposed projects
7 including the Brockway Campground immediately to --
8 adjacent to the project, yet there is no robust analysis
9 of the cumulative impact. CEQA requires that you
10 consider this, and so we really would like for the
11 project applicant to include that -- those impacts with
12 the Brockway Campground and do a robust analysis.

PH1-5

13 Thank you.

14 MR. SILVERMAN: I made the mistake. Sorry.

15 Hi, my name is Isaac Silverman. I'm a staff
16 attorney with Sierra Watch. Sierra Watch has been
17 working for 15 years to ensure permanent conservation of
18 priority conservation lands as well as responsible
19 development in Martis Valley.

20 So when we're presented with a project like the
21 Martis Valley West Parcel Project, the most important
22 question for us, and we think the planning commission as
23 well, should be: Does this proposal fit with a good
24 blueprint for the entire Truckee region?

25 Permanent protection of the east parcel, as

PH1-6

1 called for in this project proposal, would be a great
2 outcome, but not if it comes at the expense of the
3 irresponsible development west of Highway 267. And
4 while our review of the DEIR is ongoing, issues
5 including traffic, greenhouse gas emissions, air
6 pollution, biological impact, several others that you
7 will hear about today, are raising serious questions
8 about the appropriateness of the Martis Valley East
9 Parcel Specific Plan.

10 Before I comment further on the DEIR, a little
11 context, I think, is important, particularly in relation
12 to some of the other things we've heard today.

13 Proposals before Placer County, including the Brockway
14 Summit Campground and the Specific Plan, would really
15 chart the future for Sierra Pacific Industries
16 substantial Martis Valley landholdings. It's 7,568
17 acres extending all the way from Waddell Ranch Reserve
18 up the slopes of Martis Valley and across Highway 267
19 towards Northstar, and as previously presented, this is
20 this same land that was the topic of the Martis Valley
21 Opportunity Agreement that was reached between the
22 landowner -- can I get a couple extra seconds to deal
23 with that?

24 Sierra Watch -- I think it's good now.

25 MR. ROCCUCCI: They got a wireless one, I think.

PH1-6
cont.

1 MR. SILVERMAN: So the MVOA was the subject.
2 The same land was subject to the MVOA, which is the
3 agreement between the landowner, Sierra Watch, Mountain
4 Area Preservation as well. So that agreement
5 represented a shared vision between the landowner and
6 conservation organizations, that the SPI landholdings
7 east of Highway 267, the east parcel and the Specific
8 Plan, should not be developed. And to achieve this, the
9 MVOA calls for a shift in land use designations, and
10 normally that's -- as members of the planning
11 commission, I feel you are an audience that's
12 particularly well-position to understand the
13 significance of a designation versus zoning or
14 development rights, which is another way that those
15 shifts have been described today. They're very distinct
16 different things, as you guys well know. So the shift
17 of land use designations for the SPI property in Martis
18 Valley and the Tahoe Basin, reducing and swapping
19 designations for potential development from the east
20 side to the west, just designations. At the same time,
21 that land on the east side would be permanently
22 protected as reflected, the commitment in the Martis
23 Valley West Specific Plan application.
24 So unfortunately, and at the same time,
25 Mountainside Partners' two development applications on

PH1-6
cont.

37

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1 this land -- on these landholdings west of 267 -- I'll
2 just hold this -- go much further than the land use
3 designation swap agreed to in MVOA. They include a much
4 deeper set of entitlements and significantly more units
5 of development once you include the resort units at the
6 Brockway Campground. That brings us to back --

7 MR. DENIO: Okay. I keep hearing
8 "Brockway Campground." On this EIR, it's not part of
9 the entitlement process. There is no
10 Brockway Campground in this entitlement, so if you
11 can -- please. I know you keep bringing it up.

12 MR. SILVERMAN: I'm about to address exactly
13 that point, sir. I think it's really good.

14 MR. DENIO: You have just a few seconds.

15 MR. SILVERMAN: Sure. Potentially one of the
16 major problems with this Draft Environmental Impact
17 Report is exactly what you brought up. It is not
18 including the Brockway Campground.

19 What we have are two project proposed by the
20 same developers on continuous landholdings owned by the
21 same person. Common sense, CEQA, good planning requires
22 an approach that considers the full impact of these two
23 projects together, and so that's the only way we can
24 truly ensure responsible planning for Lake Tahoe, for
25 Martis Valley, really the whole Tahoe/Truckee region.

PH1-6
cont.

1 I'm glad you brought that up. That was one of the
2 important points I wanted to raise.

PH1-6
cont.

3 Thank you for your time.

4 MS. ECKMEYER: Good morning, commissioners. I
5 also want to thank you for having a public hearing
6 today, and I thank Placer County for extending the
7 public comment period. This is an extensive document.

8 The League will be submitting formal written
9 comments today, but I did want to highlight some
10 specific concerns we have with the Draft Environmental
11 Impact Report with you this morning.

12 MR. IVALDI: You want to say your name?

13 MS. ECKMEYER: Shannon Eckmeyer, League to Save
14 Lake Tahoe. So not to dwell on the Brockway Campground,
15 I just want to bring up one point. CEQA does require a
16 cumulative impact analysis with projects that could
17 impact this. The project applicants are the same for
18 Martis and the Brockway Campground. We disagree that
19 the analysis included a cumulative impact analysis with
20 Brockway. It was simply just listed as a future
21 project.

PH1-7

22 Setting that aside, the Lake Tahoe Basin and
23 impacts to it were completely ignored with this
24 environmental review, and as you saw today, there are
25 significant and unavoidable impacts as they relate to

PH1-8

1 traffic, air quality, and visual, which will undoubtedly
2 also impact the Lake Tahoe Basin.

PH1-8
cont.

3 I'd also like to request what type of
4 coordination has been happening with the TRPA, Tahoe
5 Regional Planning Agency. That is another CEQA
6 requirement.

PH1-9

7 So finally, in conclusion, the League will be
8 specifically requesting that a new Draft document be
9 recirculated with a cumulative impact associated with
10 Brockway and impacts to the Lake Tahoe Basin.

PH1-10

11 Thank you.

12 MR. DENIO: If there is other people who want to
13 speak, please queue up, so that way we can move through
14 this.

15 We still have other items to talk about.

16 MS. WALLER: Good morning. Ellie Waller, Tahoe
17 Vista resident. I'll just launch. My overarching
18 statement is, the EIR is the most confusing I have ever
19 reviewed. The placement of cumulative impacts in the
20 Executive Summary and not having a separate chapter like
21 most EIRs is a prime example. That segues into the
22 terminology used for cumulative impact. Simply
23 stating: "Would not result in considerable contribution
24 to the cumulative impact" just is not acceptable. The
25 example I'll give you -- they talked about it -- impact

PH1-11

1 710 -- 7-10, implementation of the Martis Valley West
2 Specific Plan and the cumulative projects in the region
3 would result in conversion, fragmentation of habitats,
4 etcetera. The significance before mitigation has not
5 been stated, and specific impacts wholly created by the
6 Martis Valley Project itself has not been identified in
7 the DEIR. Every impact must have a defined baseline
8 impact category, no impact less than significant,
9 etcetera, showing the actual project led or contribution
10 to the cumulative before mitigation.

11 Table 2-1, Summary of Impacts, must be updated
12 in the FEIR. Then you go to Chapter 4, Approach to
13 Environmental Analysis project list. The FEIR must be
14 reviewed to have a stand-alone cumulative impacts
15 chapter.

16 Next, by introducing the revised Martis Valley
17 West Specific Plan dated October 2015, being reviewed
18 concurrently with the Martis Valley DEIR that had brand
19 new significant information, adds another layer of
20 confusion. The revised Specific Plan has added new
21 design standards, implementation measures, evacuation
22 route info, etcetera.

23 The public and agencies commented on a prior
24 Specific Plan. We are now being asked to comment on a
25 newly-revised Specific Plan and DEIR separately. This

PH1-11
cont.

PH1-12

1 is similar to the Placer County Tahoe Basin Area Plan's
2 lack of correct project description, which triggered a
3 recirculation of that NOP, which should trigger a
4 recirculation of this NOP.

5 The Specific Plan does not require an NOP, but
6 the information we are being asked to look at as a
7 supplemental reference is part of this project. And the
8 Specific Plan is being asked to be approved in
9 Table 3-7, which is part of the DEIR.

10 A detailed example of confusion in a specific
11 chapter, 17. The DEIR states that the proposed Specific
12 Plan will have 760 luxury units.

13 Back to the Brockway Campground, which is part
14 of the cumulative impact in the DEIR. It's developing
15 up to 550 sites adjacent to that. The FEIR must
16 disclose the campground proposes to use the same
17 secondary EVA if you look at the maps that I've provided
18 you there.

19 Additionally in the map, the primary EVA is in
20 an avalanche zone, a severe erosion hazard, the
21 campground using the same EVA. I went to the North
22 Tahoe Fire Department Board of Supervisors and gave them
23 the same packet last night and asked them to comment.

24 The FEIR must disclose -- I just want to finish
25 up. It's unfortunate that we don't get to speak for

PH1-12
cont.

PH1-13

PH1-14

1 five minutes with the three of them being able to get
2 up.

3 So I'm going to finish with two really important
4 comments. The FEIR must go before the TRPA. Anything
5 on Tahoe Basin land is governed by the Tahoe Basin
6 Compact. The Fibreboard Freeway, which is being asked
7 to be used for a secondary EVA is on Tahoe Basin's land.

PH1-14
cont.

8 And I will close with a suggested alternative
9 that is not in the environmental document. Per
10 CEQA 15126, an EIR shall describe a range of reasonable
11 alternatives to the project, or to the location of the
12 project, which would feasibly obtain the basic
13 objectives. That reasonable and feasible alternative
14 should be a reduced density project on the east parcel,
15 which is a better location where entitlements currently
16 exist for the residential, which will result in less
17 impacts, especially the complex conflict with Tahoe,
18 traffic & GHD, and noise. A conservation easement for
19 the remainder of the acreage, which is approximately
20 5,600 to 5,700 acres, could still be preserved.

PH1-15

21 Thank you for the opportunity to speak today,
22 and I will be turning in a detailed comment.

23 MS. AMES: Good morning. I'm Laurel Ames from
24 the Tahoe Area Sierra Club, representing both sides of
25 the ridge that we're talking about. So there is Tahoe

PH1-16

1 on the south side, and then Martis Valley on the north
2 side, and they are both very important places to the
3 people who live in the Tahoe Basin and in Truckee and
4 are members of the Tahoe Area Sierra Club.

5 We are very concerned with the impacts in both
6 the Tahoe Basin and in Martis Valley. There couldn't be
7 a more obvious impact than traffic, and it's really
8 astounding that this project will take the level of
9 service from D to F, unbelievable. F is gridlock. This
10 plan doesn't even build out the Martis Valley, and yet
11 approving it pushes the highway capacity right over the
12 edge. I would wonder what they were thinking when they
13 did the Martis Valley Community Plan. Those are
14 cumulative impacts, and boy are they cumulative.

15 This project -- this subdivision in Martis is
16 responsible for numerous impacts -- numerous cumulative
17 impacts that are partially disclosed in the DEIR. The
18 DEIR has -- it has this very interesting piece to the
19 plan. It's a special plan and a special plan is very
20 difficult for the public because what happens is the
21 DEIR may -- may not in this case -- fully disclose
22 impacts but it doesn't. It hides behind the special and
23 you get a problematic environmental document for this
24 project for the subdivision and all of the details of
25 that are then thrown into the special category and are

PH1-16
cont.

PH1-17

1 negotiated and analyzed and discussed and decided on
2 behind closed doors. They don't come out to the public.
3 There is rarely an event where something is noticed by
4 the public because, of course, there are no notices for
5 these meetings and there is a complaint and then there
6 is a hearing. So this pulls -- the special plan pulls
7 an enormous number of issues out of the plan, out of the
8 DEIR, and DEIR goes on and on with details such as, the
9 visuals will be reviewed later. That's not an analysis.
10 I could go on, and on, and on.

PH1-17
cont.

11 I don't have five minutes. I have five minutes,
12 right?

13 MR. DENIO: Three.

14 MS. AMES: I represent a group. Okay.

15 Thank you, very much.

PH1-18

16 Our extensive comments will be submitted, and we
17 join with the League in requesting that this
18 project -- that this document be recirculated, that it
19 be vastly improved, and many of the environmental
20 impacts disclosed in much greater detail.

21 Thank you.

22 MR. NADER: I want to make sure that everybody
23 who's speaking has signed in so that we can follow up
24 with people.

PH1-19

25 MR. ENSTAD: Good morning, ladies and gentlemen

1 and commissioners. Thank you for the opportunity to
2 speak on this project. I just received --

3 MR. DENIO: Can you state your name?

4 MR. ENSTAD: Loren Enstad. I received the data
5 on this just Tuesday. Some of my comments are directed
6 at the Brockway Campground and as such, I apologize for
7 that but as I understand it, it is part of the
8 cumulative impact.

9 I have been a permanent resident of North Lake
10 Tahoe since 1972. I was a professional fire fighter for
11 31 years and culminated my career as a fire chief of the
12 North Lake Tahoe Fire Protection District from 1980 to
13 1999.

14 Tuesday of this week I was provided with more
15 detailed plans, maps, and drafts of the Environmental
16 Impact Statement for Martis Valley West Parcel Specific
17 Plan. I was asked by community members to comment
18 specifically on the topics of hazards, public service,
19 transportation and circulation elements of the plan, and
20 associated alternatives.

21 Table 2.2 of the summary, Environmental Effects,
22 identifies hazards to be less than significant or
23 similar under each of the alternatives presented. My
24 experience suggests otherwise. There is no way that you
25 could introduce 550 campsites to an --

PH1-19
cont.

1 MR. DENIO: Okay. We're not hearing any
2 specific project coming before us. It's the Draft EIR.
3 I'd appreciate it -- we're talking about Martis Valley.

PH1-19
cont.

4 MR. ENSTAD: I'll shorten my comments, then.

5 MR. DENIO: Okay. Thank you.

6 MR. ENSTAD: With respect to public service, the
7 proposal also indicates less than significant
8 mitigation. Several paragraphs are devoted to
9 cumulative mitigation proposals to comply with best
10 management practices employed by agencies and states
11 that the combination of effects of the proposed project
12 with past, present, and future projects is once again
13 less than significant. This is not a risk that I would
14 assume given the most recent events that have shown the
15 Sierra Nevada Mountains are changing. Combinations of
16 prolonged drought, unusual weather patterns, coupled
17 with ever increasing drawdown on the public safety
18 resources, and ever expanding demands for service has
19 stretched resources to the limits.

PH1-20
cont.

20 The fires in the Sierras have burned over
21 1,000,000 acres in the first five years of this decade.
22 This is attributed to faster moving fires with higher
23 intensity. Part of the answer is to modify forest
24 conditions, with which I agree wholeheartedly. However,
25 the element that is less talked about concerns the

1 development of -- or the deployment of resources when we
2 become most vulnerable. One only has to spend a few
3 months each summer at Lake Tahoe to experience being
4 lugged to death.

5 These resources are required -- requested from
6 our public agencies to respond to fires all over the
7 west. And as such, we are left depleted at the time
8 when we're most vulnerable, and this is only adding to
9 that problem.

10 I'm shorting my comments. Sorry. I'll give a
11 copy of what I have.

12 Common sense tells us that during an emergency,
13 confusion will be a constant companion. If an emergency
14 evacuation is required in the Lake Tahoe Basin, it is
15 prudent to suggest -- isn't prudent to suggest that
16 campers, RVs, and trailers merge on to a two-lane road
17 at the apex of a summit. Even under normal traffic
18 demands, Highway 267 becomes congested and is subject to
19 delays. The existing means of ingress and egress have
20 not changed in 40 plus years, yet full and part time
21 population continue to grow. At what point do we accept
22 the fact that our roadways have reached their practical
23 limit? I trust that you will take my observations under
24 consideration.

25 Thank you.

PH1-20
cont.

1 MR. HEINZ: Good morning. My name is
2 Robert Heinz, H-E-I-N-Z. My wife and I have been
3 residents of North Lake Tahoe for 18 years now. I have
4 many issues -- environmental issues with this project
5 but I'd like to address one particular issue right now
6 and that is emergency evacuation. I have been in a
7 100,000-acre wildfire evacuation, and I can tell you
8 firsthand, nothing goes according to plan.

9 My wife is going to circulate a few photographs
10 right now. The first two photographs are the existing
11 traffic on Highway 20 at 267. These images were taken
12 this August. To give you example of a similar backup
13 between -- along 267 and 28 but then going up 267. It's
14 obscene.

15 Darling, would you work on these two?

16 The second issue that I want to show is that,
17 this past June in Highway I-15 between Los Angeles and
18 Las Vegas, there was a wildfire that burned across a
19 four-lane freeway trapping numerous motorists who ended
20 up running for their lives. I ask you to look at these
21 photographs and imagine what the existing traffic in
22 Lake Tahoe would looklike on a single-lane
23 highway -- single-lane road going over a mountaintop and
24 what the devastation could be there.

25 The next image I'd like my wife to show you, we

PH1-21
cont.

1 live on -- Point. These particular images I shot last
2 September and how close the King Fire came to Lake
3 Tahoe. One more day of this, this King Fire could have
4 been in the Basin. The bottom line is, we simply do not
5 have the capacity for an effective evacuation. Having
6 been in an emergency evacuation, I can tell you
7 firsthand, nothing goes according to plan. When you're
8 driving down a road as fast as you can and the embers
9 are blowing faster than you're driving and setting
10 everything in front of you on fire, good luck. And all
11 we need is one RV towing a boat pulling out of Martis
12 Camp or Brockway Campground to clog up all the roads,
13 and we would be incinerated. So I ask you to please
14 consider the safety factors of this development and what
15 we face.

PH1-21
cont.

16 Thank you for your consideration.

17 MR. DENIO: Okay. If you can keep queuing up,
18 and make sure to sign in.

19 MR. NADER: Can we move the sign in to that
20 chair behind --

21 MR. DENIO: Just set it on the corner of the
22 green table.

23 Sign it just before you --

24 MS. QUASHNICK: Good morning. My name is
25 Jennifer Quashnick, and I'm here for Friends of the West

PH1-22

1 Shore. And I guess, initially, there is just a couple
2 of things I want to just point out right off the bat.
3 This is not affordable housing. This is not smart
4 growth. These are second homes. I saw one of the
5 handouts on the table today. At the bottom it says:
6 "Support conservation and smart growth." Well, I do
7 both of those things, but this is not smart growth. It
8 doesn't take more than common sense to figure that out,
9 but we are here today to talk about what's wrong -- or
10 right but mostly wrong -- with the environmental
11 documents.

12 And along with the other groups have requested
13 it, we also request a recirculation of a significantly
14 revised environmental document. There are a lot of
15 problems with it. One of the issues right off the bat
16 is how the traffic is analyzed. They assume that
17 20 percent of these homes will be occupied full
18 time. Obviously, during peak summertimes, we could see
19 100 percent of the people, but unless Placer County is
20 planning to limit these -- 20 percent of these homes to
21 full time, the environmental document has to assume full
22 occupancy at peak times.

23 So right now, the traffic is estimated on a
24 fifth of the possible traffic that could be generated by
25 this project, and this then effects the traffic analysis

PH1-22
cont.

PH1-23

PH1-24

1 both in and outside of the Basin, the greenhouse gas
2 emissions, the water use, the air quality, the noise,
3 numerous other issues, public safety, evacuation,
4 wildlife danger. This is a significant deficit in the
5 environmental document that needs to be fixed.

6 Also, not all of the NOP comments were posted or
7 even addressed. We had to request that Friends of the
8 West Shore's comments be posted, and they clearly were
9 not considered during the DEIR process. The information
10 has been hard to find or not included. In fact, it's a
11 specific plan that does not seem to be very specific. A
12 lot of the stuff was put off until later, which as you
13 heard earlier, isn't going to have a likely very big
14 public process. But for example, the only project
15 layout we could find was a conceptual one in the Phoenix
16 Assessment. The only estimate of Tahoe vehicle miles
17 traveled, which is a huge issue for us, is included in
18 the appendix for the greenhouse gas emissions analysis,
19 but no sources of where these assumptions came from were
20 provided. Again, we can only assume that this is a
21 fifth of the possible traffic we will see, and even with
22 a fifth of it considered, it says, "There could be
23 15,600 daily BMT added to our roadways in Tahoe in the
24 summertime." That's not the whole project.

25 The analysis has issues. The greenhouse gas

PH1-24
cont.

PH1-25

PH1-26

PH1-27

PH1-28

1 emissions, it's not comparing it to a baseline. It's
2 actually comparing it to a hypothetical situation where
3 California magically does not apply regulations that
4 have already been passed. This simply does not make
5 sense and does not pass the laugh test.

PH1-28
cont.

6 We've heard about the safety issues. Also,
7 because impacts have been discounted, dismissed, or just
8 considered unavoidable insignificant, we have lost the
9 opportunity in this document to look at mitigation, and
10 that really needs to be addressed.

PH1-29

11 So we, again, reiterate our request for
12 recirculation, and also, we'll be submitting more
13 detailed comments.

PH1-30

14 Thank you.

15 MS. NICHOLAS: Good morning. I'm
16 Peggy Nicholas, full-time resident, Carnelian Bay,
17 23-year homeowner, 15-year full-time resident.

18 My question is for the staff. There have been
19 so many comments, and everyone, hundreds of people that
20 I've spoken to, friends and neighbors, the major concern
21 seems to be traffic circulation, gridlock. I've
22 experienced it, seen it increase year by year living
23 here full time, not just in the summer months but also
24 peak times in the winter. My question for staff is, was
25 there -- is there a representative from Caltrans here

PH1-31

1 today to answer community questions, and if one is not
2 here, why wasn't one invited?

3 That seems like a key piece of the puzzle.
4 That's missing.

5 MR. ROCCUCCI: Does Caltrans comment on EIRs?

6 MS. SCHWAB: Yes, Caltrans was included within
7 the circulation of the Draft EIR, so they will no doubt
8 be presenting comments. The time right now is not to
9 have representatives stand up to comment on the project.
10 We're here simply to accept comments on the Draft EIR.

11 MR. DENIO: Okay. Keep queuing up, and make
12 sure that you sign in.

13 MS. NICHOLS: Thank you so much. Ann Nichols,
14 North Tahoe Preservation Alliance.

15 Well, let me do it -- so all the -- this
16 document needs to be recirculated. You're supposed to
17 analyze the project in its current location and
18 condition, which is forest zone conservation to be
19 changed. And it's on the ridge, by the way. I want to
20 show you the ridge. This was taken from a drone, and
21 this is where the -- there is going to be a commercial
22 site up here, which would be overlooking Tahoe and
23 Martis Valley, and so you can see the general slope of
24 the site that goes to the lake. And if you can see the
25 lake, the lake can see you, so to say that there will be

PH1-31
cont.

PH1-32

PH1-33

1 no visual impact, this is -- you know, the condos can be
2 70-feet high. There was control burns that day so there
3 is some smoke in the Basin but you can still see. And
4 we have the location GPS, and the drone shows you what
5 the height is. So this is the visual of the northern
6 side of the project, so this is the far side of the
7 project towards Truckee. And the slope, it's a bench
8 that goes up. It's not like a normal ridge where it
9 goes down, so you can see the Truckee Airport from
10 there. You can still see the lake. The visual really
11 needs to be reassessed. Here you go again, 75-feet
12 high. There is the Tahoe Basin.

PH1-33
cont.

13 Anyway, absolutely needs to be recirculated,
14 reanalyzed. It needs an alternative that considers a
15 much-reduced project on the east side because the public
16 would have fought 13,060 homes on the east side, so it's
17 this phantom comparison. So it would seem to me that a
18 fair alternative would be a much-reduced project on the
19 east side and then make your comparisons.

PH1-34

20 And other than that, this, you know, the trade
21 of the open space, "Oh, this is --" you know, they can't
22 develop on those thousands of acres now, so you're not
23 really gaining open space. You could. They're going to
24 develop on 800 acres on the west side, so we really
25 haven't gained anything more. And what we're losing is

PH1-35

1 the ridges, so hopefully you will have them do a much
2 more comprehensive analysis.

3 So other than that, let's stop urban sprawl.

4 Thanks.

5 MR. DENIO: Okay. I don't see anyone else
6 standing up to speak, so I thank you all for your input
7 and --

8 MR. IVALDI: Chairman, real quick. We're going
9 to put the slide back up where document can be accessed
10 and comments can be submitted for the public's benefit.

11 MR. NADER: I want to address the issue with
12 Caltrans because the traffic was as issue that I had,
13 and I'm disappointed that Caltrans has not been more
14 engaged up to this point in the process.

15 I would ask that the staff or the applicant
16 reach out to Jody Jones, I believe she's still the
17 District Director for the Caltrans District that
18 represents this area, and to really get their staff
19 engaged in this because it was stated, I believe it's
20 not just this project but overall what's happening in
21 the Tahoe area, we really need to understand what their
22 future plans are for 267. And they need to really give
23 more input because one thing that I was concerned about
24 was, that the mitigation fee is 4,000 something on it
25 per structure, and that comes up and bills out at about

PH1-35
cont.

1 \$3.7 million. That really isn't going to put much of a
2 dent in the impact on 267, so I'm just wondering if
3 that's sufficient mitigation. So that -- I'm just
4 asking that that be looked at, and also, get Caltrans
5 more engaged in this before it's completed.

6 MR. DENIO: Thank you, all.

7 MR. ROCCUCCI: I'd like to ask just one
8 question. It was brought up by the Sierra Club
9 representative. I'm sorry I don't remember your name,
10 but she mentioned something about a bunch of the EIR
11 stuff as being shifted off to special plans. I'm not
12 quite sure what that meant. Is that true or not true?
13 What's that all about?

14 MS. WYDRA: Am I on? Okay.

15 The special plan that she was referring to, I
16 believe -- I don't want to put words in her mouth, but I
17 believe it's the Specific Plan that she maybe was
18 referencing because there is a Specific Plan associated
19 with this project. The Specific Plan does have
20 development standards and guidelines which would guide
21 the development, meaning, lighting standards --

22 MR. ROCCUCCI: Those are -- as we mentioned
23 earlier, they would come before us again. The whole
24 package would come again. Okay.

25 MS. WYDRA: Correct.

1 MR. ROCCUCCI: That's fine. I thought it was
2 something else.

3 MR. NADER: Stacy, could you put up what you're
4 asking us to do?

5 MR. DENIO: We're just taking input today. It's
6 just general input. We're not taking any action or
7 anything, just to listen to comments and stuff.

8 MR. SEVISON: Yeah. I just have a question of
9 counsel. I'm curious. One of the requests was that we
10 merge the in-Basin project with the outer Basin project,
11 and I guess I'm a little perplexed as to, do we have to
12 have that overlap between the two? I mean, I guess, you
13 know, do we have to consider in this environmental
14 document what potential impacts there might be from the
15 campground and vice versa? And I guess if that's the
16 case, I'm not just sure how we can close the door on
17 this yet, and I guess that's what I'm asking.

18 MS. SCHWAB: I think we're mixing apples and
19 oranges here. The proposed project, the application
20 that was submitted is for the Martis Valley West
21 Specific Plan. That's what's been analyzed in this EIR,
22 but pursuant to CEQA guidelines, the EIR must include a
23 cumulative impact analysis, and that includes all
24 feasible projects. One of the feasible projects that is
25 listed is the Brockway Campground. That application, if

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1 I'm not mistaken, came in after this one, but you would
2 not necessarily grab another project regardless of the
3 fact that it may be proposed by the same project
4 proponent. This is the project here, the Martis Valley,
5 and that is what is being analyzed.

6 So in terms of other projects in the area, that
7 would be analyzed in the cumulative analysis. We would
8 not suddenly merge two separate projects into one EIR
9 unless the applicant was telling us it's one project.
10 And it's not here.

11 MR. SEVISON: I can visualize that the traffic
12 impacts could overlap in some ways.

13 MS. SCHWAB: Definitely. That's what part of
14 the cumulative impact --

15 MR. DENIO: Because that's taken into account.

16 MS. SCHWAB: That is the function.

17 MR. DENIO: Any other projects that really
18 aren't in this -- the densities, traffic, all that's
19 taken into account.

20 MS. SCHWAB: That's the function of your
21 cumulative analysis, to look at all aspects from
22 traffic, visual, air quality, etcetera.

23 MR. SEVISON: So what I'm hearing is, that they
24 are doing it, supposably. It's being done. Okay.
25 Good.

1 MR. DENIO: Sorry. I cut it off from the public
2 comments on that, but if you have any specific comments
3 like you think something is not said, then, you know,
4 that's what the time up there to the 22nd --

5 MEMBER OF THE PUBLIC: I'm just asking for
6 clarification.

7 MR. NADER: We're going to take a break, and you
8 can certainly ask staff when we take a break.

9 MS. SCHWAB: One of the aspects and one of the
10 reasons we have these public comment periods and why we
11 listen to the comments is in order to be able to respond
12 to them in the final, so the comments that are raised
13 today as to whether or not the cumulative analysis is
14 adequate will be reviewed and responded to in the Final
15 EIR.

16 MR. SEVISON: Okay. Good.

17 MR. DENIO: Okay. With that, we'll take a quick
18 break and then come back for our next item.

19 Thank you all.

20 (Conclusion at 11:46 a.m.)
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4 Certified Shorthand Reporter and that I reported
5 verbatim shorthand writing the proceedings held on
6 THURSDAY, NOVEMBER 19, 2015 in the above-entitled action
7 completely and accurately to the best of my ability.

8 I further certify that I have caused said
9 shorthand writing to be translated into typewriting and
10 that the preceding pages constitute an accurate and
11 complete transcription of all my shorthand writing.

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14 Dated: December 4, 2015

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PH

Placer County Planning Commission
Public Hearing on Draft Environmental Impact Report
November 19, 2015 10:00 a.m.

Alexis Oller, Executive Director of Mountain Area Preservation

- PH-1 The comment suggests that the EIR discounts environmental impacts on the West Parcel based on preservation of the East Parcel and that conclusions are unsubstantiated. This is not the case. See Master Response 3 regarding the baseline physical conditions by which Placer County (the lead agency) determined significance of impacts. As discussed in Master Response 1, the Draft EIR analysis is based on substantial evidence and the analysis of environmental impacts is adequate; recirculation is not warranted.
- PH-2 The comment points to general concerns with biological resources, traffic, air quality, public safety, hydrology, fire hazards, visual resources, nighttime light solutions, cumulative impacts, and the Brockway Campground proposal. The EIR addresses all areas of concern listed in the comment. Please see Master Response 2, regarding the Brockway Campground Proposal.
- The comment also references comments provided by Shute, Mihaly & Weinberger on behalf of Sierra Watch. Please see the responses to comment letter IO41.
- PH-3 The comment expresses concern with visual resource impacts, suggesting changes to the project to reduce such impacts. The comment reiterates findings of the EIR and offers suggestions for the project. The EIR concluded that impacts related to glare would be less than significant and no mitigation is required.
- PH-4 The comment expresses concern with project access from SR 267, suggesting an alternate site entry from Highlands View Road, and concern with traffic congestion and public safety on SR 267. See response to comment IO18-26 regarding suggestions to access the project site from Highlands View Road.
- PH-5 The comment expresses concern regarding cumulative impacts, in particular related to the Brockway Campground proposal, and states the EIR does not include a robust analysis of the cumulative impact. The methodology for the cumulative impact analysis is described in Sections 4.1 and 4.2 of the Draft EIR. Summaries of the cumulative impacts are included in Table 2-1, Summary of Impacts and Mitigation Measures in Chapter 2, "Executive Summary" of the Draft EIR. The full discussion of each cumulative impact, considered in the context of other existing and proposed projects, are addressed within each resource chapter of the Draft EIR (Chapters 5 through 18). The existing cumulative condition is described; the effect of past, present, and future projects are considered in conjunction with the proposed project to determine if a significant cumulative impact would result, and the project contribution to that cumulative condition is assessed. If the project contribution is cumulatively considerable, mitigation to lessen the project contribution is described if available.

Isaac Silverman, Staff Attorney for Sierra Watch

- PH-6 The comment provides an introduction to Sierra Watch and expresses concerns with the proposed MVWPSP stating that, although preservation of the East Parcel would be positive, there are concerns with development of the West Parcel and the Brockway Campground proposal. The comment provides background related to the Martis Valley Opportunity Agreement. First, please see the responses to comment letter IO41, which address the commenter's concerns regarding the Draft EIR environmental resource analyses. Also, see Master Response 2, regarding the Brockway Campground proposal, which the comment

states is not evaluated in the EIR. The comment discusses land use designations versus zoning or development rights. Chapter 5, “Land Use and Forest Resources,” of the Draft EIR evaluates the potential land use impacts of the proposed MVWPSP, including the proposed conservation of the 6,376-acre East Parcel. Any entitlements processed for the MVWPSP following approval of the Specific Plan would not include entitlements for the Brockway Campground, which is a separate project subject to its own environmental review and project approval.

Shannon Eckmeyer, League to Save Lake Tahoe

- PH-7 The comment expresses concern regarding cumulative impacts, in particular related to the Brockway Campground proposal. See Master Response 2, regarding the Brockway Campground proposal and the cumulative analyses.
- PH-8 The comment states that the Draft EIR did not address impacts to the Lake Tahoe Basin. This comment is reiterated in the written comment letter from the League to Save Lake Tahoe. See response to comment IO26-5.
- PH-9 The comment requests information on coordination with TRPA. See response to comment IO26-14.
- PH-10 The comment asserts that the Draft EIR should be recirculated with analysis of the Brockway Campground and Lake Tahoe Basin impacts. See Master Response 1. Also, see responses to comments PH-7 and PH-8, above and responses to comment letter IO26.

Ellie Waller, Tahoe Vista Resident

- PH-11 The comment expresses concerns related to the analysis of cumulative effects and suggests that the Final EIR should provide a table of project-specific effects separate from cumulative effects. The comment cites the executive summary and states that the EIR does not have a separate cumulative chapter like other EIRs. The cumulative context and methodology for cumulative impacts are described in Section 4.2, “Cumulative Impact Analysis Methodology,” in Chapter 4 of the Draft EIR. Cumulative impacts, and the project’s contribution to such impacts, are addressed for each environmental resource throughout Chapters 5 through 18 of the Draft EIR. Consistent with the numbering throughout the resource chapters, Table 2-1 in the Executive Summary (Chapter 2 of the Draft EIR) summarizes the potential environmental effects of the project, any required mitigation measures, and the significance of the impact before and after mitigation, again identifying the cumulative impacts separately from the project impacts.
- The Draft EIR was prepared in compliance with CEQA and the State CEQA Guidelines. As described in Master Response 1, there have been no changes to the Draft EIR reflecting “significant new information” triggering the need for recirculation pursuant to CEQA Guidelines Section 15088.5.
- PH-12 The comment requests a defined process describing the relationship of the MVWPSP and the Draft EIR. As described in Section 1.6 of the Draft EIR, “Environmental Review Process and Public Involvement,” the public review process of the Draft EIR provided for concurrent review of the proposed MVWPSP, which is the subject of the environmental review document. The public has had access to review the complete Draft MVWPSP, the Draft EIR, and the NOP and Initial Study, all of which are available on the County’s website: <http://www.placer.ca.gov/departments/communitydevelopment/planning/martisvalleywestparcelproject/martisvalleywestparceldraftsp>. As stated on the County’s website, under “2015 Public Draft Specific Plan,” the draft Specific Plan does not have a comment period assigned to it. As discussed on page 1-8 of the Draft EIR, following revisions to the Specific Plan, a

revised NOP and Initial Study were released notifying the public that Placer County would be preparing an EIR for the revised project.

- PH-13 The comment requests that the Final EIR provide maps of the MVWPSP and the Brockway Campground proposals and discuss which roads and EVAs would be used. MVWPSP emergency access roads are described in Chapter 3, “Project Description,” of the Draft EIR (see page 3-24) and shown in Exhibit 3-9. The Brockway Campground proposal is listed as a cumulative project in Chapter 4 of the Draft EIR and considered throughout the cumulative impacts of Chapters 5 through 18. For further discussion regarding emergency response and evacuation, see Master Response 9 of this Final EIR. See Draft EIR Chapter 14, “Geology and Soils,” for disclosure and analysis of avalanche hazard.
- PH-14 The comment states that the Draft EIR needs to go before the TRPA. This is not correct. Chapter 3, “Project Description,” and Section 4.1 of the Draft EIR explain that no portion of the MVWPSP is located within the Lake Tahoe Basin. Therefore, no action by TRPA is required to implement the Specific Plan. This obviates the need to discuss applicability of TRPA goals and policies in the regulatory setting of each resource chapter of the EIR.
- As indicated in the comment, the MVWPSP proposes use of a portion of the Fibreboard Freeway as a secondary EVA. The use of Fibreboard Freeway for emergency evacuation would neither be a new access route, nor would it undergo any improvements. The project includes a primary EVA that would be paved for year-round use. The primary EVA would meet local and State requirements, and the secondary EVA is not required by local and state code or ordinance. The secondary EVA would be connected to the project site by existing dirt roads and no action by TRPA would be required.
- PH-15 The comment discusses CEQA requirements for alternatives and suggests a reduced density alternative on the East Parcel. See Master Response 10 regarding alternatives.

Laurel Ames, Tahoe Area Sierra Club

- PH-16 The comment introduces the Tahoe Area Sierra Club and expresses concern with impacts to both Martis Valley and the Tahoe Basin, citing traffic concerns and cumulative traffic impacts. The comment reiterates information from the EIR. Traffic impacts, including cumulative impacts, are addressed in Chapter 10 of the Draft EIR.
- PH-17 The comment expresses concerns with the project description and environmental analysis of a specific plan. Please see response to comment IO18-5, which explains that, as a proposed specific plan, the action being considered by Placer County is a planning action: redesignation of land uses, rezoning of lands, and preservation of lands. The EIR analyzes and discloses the physical environmental effects of buildout of the project, in this case, a specific plan. See response to comment IO18-3. As discussed therein, the intent of the EIR, if certified, is to serve as the base environmental document for subsequent entitlement approvals within the West Parcel. The determination of whether a requested subsequent development entitlement is consistent with the MVWPSP, and whether this EIR considered the project-specific effects, would be made by the County through the MVWPSP conformity review process to determine consistency with the adopted MVWPSP, CEQA, and other regulatory documents and guidelines. A Subsequent Conformity Review questionnaire will be required for each subsequent project approval application, and the County may require additional information, such as project-specific technical studies. The comment refers to public noticing. All development projects would be subject to parcel and/or tentative maps and other additional entitlements, which would be considered by the Planning Commission in one or more public meetings. Any subsequent CEQA analysis, including the questionnaire and studies prepared for a particular project and the County determination of whether and what additional CEQA analysis is required, would be available for public review during this

process. Therefore, there would be additional public input into the environmental effects of subsequent projects.

Please also see Draft EIR Section 1.6, “Environmental Review Process and Public Involvement,” specifically Section 1.6.2, “Public Involvement,” which describes the timeline and public meetings/hearings involved in the first and second notices of preparation (NOPs) as well as for the Draft EIR.

PH-18 The comment suggests that the Draft EIR should be recirculated. Please see Master Response 1.

Loren Enstad, North Lake Tahoe Resident

PH-19 The comment provides introductory remarks and expresses concern regarding the Brockway Campground proposal. Please see Master Response 2 regarding this separate project.

PH-20 The comment expresses concerns related to demands on public services, particularly related to wildfire hazards and emergency evacuation. Impacts associated with wildfires and emergency response are described in Draft EIR Chapter 18, “Hazards and Hazardous Materials,” and Chapter 17, “Public Services and Utilities.” Please also see Master Response 9 related to wildland fire, emergency evacuation, and the Emergency Preparedness and Evacuation Plan prepared as part of the MVWPSP.

The Placer County Planning Commission and Board of Supervisors will take the commenter’s opinions regarding the merits or qualities of the proposed MVWPSP into consideration when making decisions regarding the project.

Robert Heinz, North Lake Tahoe Resident

PH-21 The comment expresses concerns related to wildfire hazards and the project’s effect on emergency evacuation routes. Please see Master Response 9 and responses to comments on letter IO21.

The Placer County Planning Commission and Board of Supervisors will take the commenter’s opinions regarding the merits or qualities of the proposed MVWPSP into consideration when making decisions regarding the project.

Jennifer Quashnick, Friends of the West Shore

PH-22 The comment expresses concern that the MVWPSP is not affordable housing and not smart growth, referring to a handout circulated at the public hearing from a project opponent. The project does not purport to be a smart growth or affordable housing development or plan. The Placer County Planning Commission and Board of Supervisors will take the commenter’s opinions regarding the merits or qualities of the proposed MVWPSP into consideration when making decisions regarding the project.

PH-23 The comment suggests that the Draft EIR should be recirculated. Please see Master Response 1.

PH-24 The comment raises concerns with the Draft EIR’s analysis of traffic and the 80/20 occupancy split (part time/full time residents). Please see Master Response 5 and response to comment IO18-10, which address these concerns.

PH-25 The comment states that not all of the NOP comments were posted or addressed. See response to comment IO18-83. The FOWS letters in response to the NOP were considered in

preparation of the Draft EIR and were posted to the County's website upon note of their absence.

PH-26 The comment expresses concerns with the project description and environmental analysis of a Specific Plan. Please see responses to comments PH-17, IO18-5 and IO31-11.

Please also see Draft EIR Section 1.6, "Environmental Review Process and Public Involvement," specifically Section 1.6.2, "Public Involvement," which describes the timeline and public meetings/hearings involved in the first and second notices of preparation (NOPs) as well as for the Draft EIR.

PH-27 The comment expresses concern regarding Tahoe vehicle miles traveled. This issue is addressed in Master Response 6 in this Final EIR. Please also see Master Response 5, regarding the occupancy split assumptions.

PH-28 The comment raises concerns with the methodology for analysis of greenhouse gas emissions. Please see Master Response 7 and Master Response 3, which address these concerns.

PH-29 The comment expresses concerns related to demands on public services, particularly related to wildfire hazards and emergency evacuation. Impacts associated with wildfires and emergency response are described in Draft EIR Chapter 18, "Hazards and Hazardous Materials," and Chapter 17, "Public Services and Utilities." Please also see Master Response 9, regarding emergency response and evacuation.

PH-30 The comment states that the Draft EIR should be recirculated. Please see Master Response 1.

Peggy Nicholas, Carnelian Bay Resident

PH-31 The comment expresses concern regarding the project's impacts on traffic and circulation and inquires as to whether Caltrans is involved in the EIR process. Please see Chapter 10, "Transportation and Circulation," of the Draft EIR, which describes the existing circulation patterns in the vicinity of the MVWPSP project site and evaluates transportation impacts from construction and operation of the proposed MVWPSP uses. The analyses in this section are based on traffic volume data collected in August 2013 and March 2014; site visits conducted in May 2014; and incorporation, where appropriate, of data from local and regional transportation studies. As described in Section 10.2, Caltrans owns, operates, and maintains most of the study area's major roadways, including SR 267, SR 28 and I-80. As such, Caltrans (District 3) planning and policy documents provided guidance on expectations for these routes related to traffic operations relevant to this analysis and the potential effects of the proposed project. As explained in Section 10.3, Caltrans' threshold for roadways segments, signalized intersections, and unsignalized intersections was used in the impact analysis. Caltrans District 3 submitted comments on the NOP (March 30, 2015) and comments on the Draft EIR (December 14 and December 22, 2015), and the County coordinated with Caltrans during preparation of the Draft EIR.

Ann Nichols, North Tahoe Preservation Alliance

PH-32 The comment suggests that the Draft EIR should be recirculated. Please see Master Response 1.

The comment also states that the project should be analyzed against existing conditions. See Master Response 3 regarding the baseline physical conditions by which Placer County determined whether an impact was significant in the Draft EIR.

- PH-33 The comment expresses opposition to the project due to effects on the ridgelines surrounding Lake Tahoe. The comment references a photo taken from the project site from a drone that purports to show that project structures would be visible from Lake Tahoe and that based on this, says the visual [study] needs to be reassessed. Neither the County nor the EIR preparers can verify if the photo was taken from the location of potential commercial development within the boundary of the project site. See Master Response 4 regarding the visual resources analysis.
- PH-34 The comment suggests that the Draft EIR be recirculated. Please see Master Response 1.
- The comment also suggests a reduced density alternative on the East Parcel. See Master Response 10.
- PH-35 The comment expresses opposition to the project and implies that, because development on the East Parcel is not already permitted, the transfer of development potential to the West Parcel would not result in environmental gain. In regard to the comment that there should be a comprehensive analysis, please see Chapter 1 of the Draft EIR, specifically Section 1.6, “Environmental Review Process and Public Involvement.”
- In regard to the transfer to development rights from the East Parcel to the West Parcel, please see response to comments IO16-2 and t A-1-2.
- In regard to concerns related to ridgelines, as described in the Draft EIR on page 9-9, the MVWPSP development area is located on north facing slopes on the north side of a ridge that separates Martis Valley from the Lake Tahoe Basin to the south. To determine if buildings allowed by MVWPSP could be visible over the ridgeline from within the Tahoe Basin, the Draft EIR evaluated visual profile studies and visual simulations (see Master Response 4 for more detail on the methodology). The analysis reflected a conservative approach that assumed all buildings achieved the maximum allowable height, and the analysis did not reflect the implementation of MVWPSP policies that are cited in the comment, which would reduce the visual effects of development (see Draft EIR page 9-30). This analysis determined that “No structures would be visible from Lake Tahoe and tree removal visible from Lake Tahoe would be largely obscured by remaining trees” (Draft EIR page 9-37). In addition, refer to response to comment A-1-6 as well as response to comments IO27-1 and IO50-3 regarding ridgeline protections.
- The Placer County Planning Commission and Board of Supervisors will take the commenter’s opinions regarding the merits or qualities of the proposed MVWPSP into consideration when making decisions regarding the project.